



Representative James Lower
Chair, Local Government Committee
Michigan House of Representatives
Anderson House Office Building
PO Box 30014
Lansing, MI 48933

December 11, 2018

Re: SB 1188 Local Tree Ordinances

Dear Representative Lower,

The Arboriculture Society of Michigan (ASM) is a non-profit organization founded in 2006 under the idea to promote arboriculture in the state of Michigan. Its members include arborists, urban foresters, municipal and utility foresters, professional tree workers/climbers, academia and others interested in all aspects of arboriculture and the health and care of Michigan trees.

The ASM does not support SB 1188 as written and would like to offer comments and suggestions to make this bill more practical for achieving the stated purposes.

Trees are the only infrastructure to increase in value as it ages.

Proposed Senate Bills 1188-1194 do not recognize how trees on individual sites factor into the total urban canopy and its function in our communities. The various tree and woodland protection and preservation ordinances strive to buffer against the impacts of development and growth in localized areas while preserving the function of the urban canopy across the entire municipality. When we cannot mitigate the tree losses that are inevitable with development and growth, we harm the community at large and remove local government's ability to protect their community's quality of life, property values, and address public health through simple measures such as maintaining a healthy tree canopy.

While a small number of ordinances may have unusual requirements, this legislation is too broad in its application. With over 100 communities that have some form of a woodland or tree ordinance, these government units would need to review or revise their current policies in response to this legislation. This would be an enormous undertaking by local governments and advisory bodies. **The positive outcomes from these tree ordinances FAR outweigh any ill-applied interpretations.** BUT, the impacts of this proposed legislation will create unlimited negative consequences causing harm and economic loss to our communities and our state long into the future. The cost to counter these impacts will be costly and some will be irreparable.

Further, passage of SB 1188 is likely to cause significant uncertainty in the administration of local zoning and planning duties. Many of these ordinances allow for legitimate applications of arboriculture and forestry best management practices as they are written. Typically, local ordinances provide incentives towards preservation of some on-site trees and against wholesale land clearing during development

activities. An unintended consequence of this legislation will be the rapid de-forestation of wooded sites prior to any actual future development.

Those who are involved with the land development process are well aware of tree ordinance requirements and absorb them as a condition of doing business. They, too, want positive outcomes for their projects and to be part of desirable communities. Tree ordinances are an accepted condition in the vast majority of situations and necessary to protect the fabric of our local communities.

In this proposed legislation, there is an effort to protect certain trees identified as 'Heritage' trees. This 'Heritage' tree list is missing multiple important native species. Further, the suggested size (DBH) requirements needed to qualify for protection do not reflect the critical ecosystem services provided by these species at much smaller sizes. As professionals in arboriculture, ASM can assist in revising this list.

While the protection of the limited list of 'Heritage' trees in this Bill acknowledges their value, the Bill is illogical in failing to protect younger/smaller trees, which will become the 'Heritage' trees of the future. Further, the reality that the large, mature 'Heritage' trees, which provide so many ecosystem services, will age out of existence and there will be no younger specimens to take their place, is a glaring oversight.

ASM recognizes that the loss of tree canopy in urban and suburban environments significantly increases storm-water issues that must be managed via increased gray infrastructure such as storm drains and sewers at significant public expense.

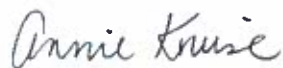
As Michigan's professional arboriculture society, ASM can provide expertise in the development of legislation that maintains community oversight for soil protection, watersheds, recreation, aesthetic interests and property values while also balancing private landowner interests. The ability to enact an ordinance to pursue local objectives should not be prohibited. This legislation prohibits tree related activities into the future, a future with scenarios that no one can predict. This is a bad and burdensome policy.

For these reasons, SB 1188 and accompanying bills warrant significantly more deliberation, particularly with resource professionals, such as arborists, at the table to help develop common sense, science-based approaches to legislation.

ASM believes that urban forestry ordinances must be developed in an effective manner, starting with clear goals and objectives. ASM can provide professional arborists to participate in the crafting of appropriate language for this bill.

We respectfully request that SB 1188 and associated Bills go no further than this committee. Thank you for considering our input. We look forward to working with you on future legislation.

Sincerely,



Annie Kruse, CMP
Executive Director